

JUN 28 2004

U.S. PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): M. A. Fathallah, et al

Serial No.: 10/823,220

Filed: April 13, 2004

For: MEDICAL DEVICE SYSTEM

Case No.: 7122USP1

Examiner: Not Yet Assigned

Date: June 28, 2004

Certificate of Facsimile Transmission under  
37 CFR §1.8(a):

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450, on: June 28, 2004

Telefax Number 703-872-9306

Robin S. Evans

Date

Declaration and Power of Attorney  
for a United States Patent Application

As a below-named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name. I believe I am an original and first and joint inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled **MEDICAL DEVICE SYSTEM** the specification of which is enclosed.

I hereby state that I have reviewed and understand the contents of the above-mentioned specification; including the claims.

I acknowledge a duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

Claim to benefit of foreign application(s) as follows:

I hereby claim foreign priority benefits under 35 U.S.C. §119 for the following foreign application(s) for patent or inventor's certificate:

None

The following foreign applications for patent or inventor's certificate have a filing date earlier than the filing date of the application(s) identified above:

None

Claim to benefit of earlier U.S. application(s) as follows:

I hereby claim the benefit under 35 U.S.C. §120 of the following earlier-filed United States patent application(s). Insofar as the subject matter of each of the claims of this/these application(s) is not disclosed in the prior U.S. applications in the manner required by 35 U.S.C. §112, first paragraph, I acknowledge a duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. which came into existence between the filing date(s) of the prior applications and the national or PCT filing date of this application.

U.S. Serial No. 10/696,830 filed on October 30, 2003

I hereby claim the benefit under Title 35, United States Code § 119 (e) of any United States provisional application(s) listed below.  
None

I hereby appoint the following Attorneys and/or agents to prosecute this application and any continuation or divisional applications based hereon, and to transact all business in the Patent and Trademark Office connected therewith:

Regina M. Anderson, Reg. No. 35,820  
Cheryl L. Becker, Reg. No. 35,441  
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Dianne Casuto, Reg. No. 40,943  
Portia Chen, Reg. No. 44,075  
Patricia Coleman James, No. 37,155  
Johanna M. Corbin, Reg. No. 51,582  
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Michael J. Ward, Reg. No. 37,960  
Allen W. Wark, Reg. No. 30,503  
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Madison, WI, 53705  
United States of America

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that all statements made herein were made with the knowledge that willful false statements and the

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Marwan A. Fathallah 6/28/04  
Date

John S. Ziegler Date

Daniel J. Lee Date

Todd J. Bakken Date

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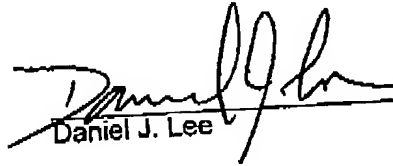
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Marwan A. Fathallah

Date

 4/13/2004  
Daniel J. Lee Date

John S. Ziegler

Date

 13 April 2004  
Todd J. Bakken Date

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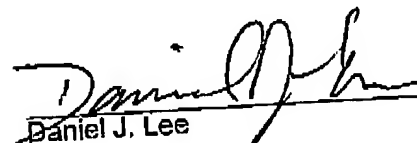
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Marwan A. Fathallah

Date

 5/10/04  
John S. Ziegler Date

 4/14/04  
Daniel J. Lee Date

Todd J. Bakken

Date